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**SPECIAL SENATE INVESTIGATION ON CHARGES
AND COUNTERCHARGES INVOLVING: SECRE-
TARY OF THE ARMY ROBERT T. STEVENS, JOHN
G. ADAMS, H. STRUVE HENSEL AND SENATOR
JOE McCARTHY, ROY M. COHN, AND
FRANCIS P. CARR**

HEARING
BEFORE THE
**SPECIAL SUBCOMMITTEE ON
INVESTIGATIONS OF THE COMMITTEE ON
GOVERNMENT OPERATIONS
UNITED STATES SENATE
EIGHTY-THIRD CONGRESS
SECOND SESSION
PURSUANT TO
S. Res. 189**

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SPECIAL SENATE INVESTIGATION ON CHARGES AND
COUNTERCHARGES INVOLVING: SECRETARY OF THE
ARMY ROBERT T. STEVENS, JOHN G. ADAMS, H. STRUVE
HENSEL AND SENATOR JOE McCARTHY, ROY M. COHN,
AND FRANCIS P. CARR

MONDAY, MAY 3, 1954

UNITED STATES SENATE,
SPECIAL SUBCOMMITTEE ON INVESTIGATIONS OF THE
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D. C.

The subcommittee met at 10:40 a. m., pursuant to recess, in the caucus room of the Senate Office Building, Senator Karl E. Mundt, chairman, presiding.

Present: Senator Karl E. Mundt, Republican, South Dakota; Senator Everett McKinley Dirksen, Republican, Illinois; Senator Charles E. Potter, Republican, Michigan; Senator Henry C. Dworshak, Republican, Idaho; Senator John L. McClellan, Democrat, Arkansas; Senator Henry M. Jackson, Democrat, Washington; and Senator Stuart Symington, Democrat, Missouri.

Also present: Ray H. Jenkins, chief counsel to the subcommittee; Thomas R. Prewitt, assistant counsel; and Ruth Y. Watt, chief clerk.

Also present: Senator Joseph R. McCarthy, a United States Senator from the State of Wisconsin; Roy M. Cohn, chief counsel to the subcommittee Francis P. Carr, executive director of the subcommittee; Hon. Robert T. Stevens, Secretary of the Army; John G. Adams, counselor to the Army; H. Struve Hensel, Assistant Secretary of Defense; Joseph N. Welch, special counsel for the Army; James D. St. Clair, special counsel for the Army; and Frederick P. Bryan, counsel to H. Struve Hensel, Assistant Secretary of Defense.

Senator MUNDT. The committee will be in order.

Senator JACKSON. Mr. Chairman.

Senator MUNDT. The committee will please come to order and the Chair would like to welcome the guests who have come to the committee room and to remind them once again that, as the guests of the committee, they must conform with the committee rule which is to refrain from manifestations of approval or disapproval.

The Chair would also like to express his appreciation to Mr. Gus Cook in the Architect's office, for providing a sounding board for the gavel, which he hopes will make the gavel sound more vigorous out through the audience, and in the ears of his colleagues and the counsel. At least it will protect the finish on this beautiful table, so it will serve some purpose, I know.

Senator JACKSON. Mr. Chairman, since Sergeant Manchester testified before this committee, he has given out a statement to the newspapers in response to certain questions that he had requested the picture of the group that had been introduced in evidence in this hearing.

In order that the matter be clarified I would like to suggest that counsel, Ray Jenkins, arrange to have his staff interview Sergeant Manchester on this point. It was my recollection that this question was not asked when Sergeant Manchester was on the witness stand by any of the members of the committee for the reason that it was understood that Sergeant Manchester's testimony was to be limited to the identification of the negatives and the prints which were subsequently introduced as evidence in this hearing.

Senator MUNDT. The Chair believes that is an excellent idea, and had asked the counsel whether he felt that a point of order could be raised against that specific question, if Chair asked it, and the counsel advised the Chair that he felt the question should not be asked of Sergeant Manchester due to the circumstances that you have described.

I quite agree that he should be interviewed, so that we can determine whether he has information that he can provide the committee, testifying under oath, because obviously newspaper interviews and other interviews have no bearing on the hearing. But if he has information to which he is willing to testify under oath, we should call him back and get that information.

Senator DIRKSEN. Now, Mr. Chairman, before the proceedings get underway this morning, I want to make what might be considered in the nature of a parliamentary inquiry.

Senator MUNDT. The Senator will state it.

Senator DIRKSEN. Mr. Chairman, this is the 8th day of the hearing, and I think this pattern before us is reasonably clear. Progress has been admittedly slow, and I think it is probably due to the procedure. We have here rather extraordinary mixture of judicial and legislative procedure, and one can readily understand perhaps why greater progress has not been made. But, Mr. Chairman, I am concerned. I have certain overriding considerations, and there are four members of this committee that are on the Appropriations Committee, and Senator McCarthy is also on the Appropriations Committee, and we have neglected a good many of our functions and duties while these hearings are going on, and certainly something should be done to expedite the progress of these hearings, and so I make this inquiry, Mr. Chairman, and it is addressed to you, and it would be addressed to all of the principals in this controversy as to how many witnesses we still have, and what we foresee as to the length of these hearings, and what might be done.

It is conceivable, of course, that subordinate witnesses might not be called and for the moment I have no idea who will or will not be summoned to the witness stand. I tried during all stages of the proceeding to not prejudge in any fashion so that a fair and impartial report can be rendered, but I think a question that addresses itself to this committee as to what can be done to expedite the matter, and whether there can be a change in procedure to which everybody in interest will agree that will bring these hearings to an end at a reasonably early date. I need not add, Mr. Chairman, my own concern, such

as it is, with respect to the fact that we are immobilized here for the moment, and there are some cleavages, and some dissident spirit that is beginning to develop, and it is a rather extraordinary thing that the counsel having done, I think, a superb job in a proceeding of this kind should be belabored first from one side and then another by telegrams and telephone and letters as to whether he has been too harsh or too severe, or too soft on first one witness, or another, and then, of course, we have rather a spectacular atmosphere in which this hearing is being conducted. All argue that the committee make some effort, Mr. Chairman, to see what can be done in the interest of expedition, and the resolution of the issues that are before us, and so I renew my inquiry, as to how many witnesses the principals are still going to produce in this proceeding, and what date, if that can be determined, we can bring this hearing to an end.

Senator MUNDT. The Chair has heard the inquiry, and I think in order to even cast any intelligent light at all on the subject I would have to endeavor to explore the minds of the counsel of the various principals; and if that is what the Senator from Illinois would like to have me endeavor to do now, to determine about how many witnesses are to be called, if there is no objection from my colleagues, while this is not exactly a point of order, I will be happy to ask the questions and see what answers we can get.

Senator DIRKSEN. Well, Mr. Chairman, I think that is a proper function of the Chair for one thing, and secondly, if a decision is to be contrived the committee can at some stage today either during the recess hour this noon, or this evening hold an executive session for the purpose of exploring and discussing the matter.

Senator MUNDT. If there is no objection, the Chair will ask of Counsel Welch, if he can be of any help to the committee on this point, by indicating about how many major witnesses he feels he will be required to call in the course of the hearing.

Mr. WELCH. Mr. Chairman, I happen to think that my voice is quite a small voice, and I do not run the hearings, and I can only make suggestions. I have been heard to say in this room and have been quoted in the press to the effect that if Senator McCarthy takes the stand as the next witness after Mr. Stevens, I am perfectly confident that the minor characters will move on and off the stage with amazing swiftness.

Take, for example, the story at Fort Dix. General Ryan can tell us, I should think, in 20 minutes, how many passes Mr. Schine had, and how many telephone calls he made, and things of that sort. They cannot be seriously contested, as I view it.

I would say this: That if the hearings take the course that I suggest, first the Secretary, and then the Senator, I would either be content to let the case rest on those two witnesses, although that would give us a somewhat abbreviated hearing, or at most we wish to call but two more.

Senator MUNDT. Thank you very much, Mr. Welch.

Senator McCarthy, I would like to direct the same question to you that I just directed to Mr. Welch.

Senator MCCARTHY. Well, Mr. Chairman, the number of witnesses that we would suggest would depend largely upon the testimony that Mr. Stevens and Mr. Adams put in. I might say that as far as the

testimony that has been put in up to this time, I frankly wouldn't feel that I would put any witnesses on to disprove it. I think that the time may come when we will want to call, for example, some of the Senators. As the Chair knows, one of the contentions that I have made is that Mr. Adams and Mr. Stevens—and I said right along I didn't think that they were doing it from any evil motive—attempted to get the hearings called off. They contacted the Senators, certain Senators, and I wasn't there, and I don't know what was said, and I think it will be necessary to call those Senators, and I think the time may come when it will be necessary to call Mr. Stevens' predecessor to see how they handled these requests for special treatment, if any, and it might be necessary to call Mr. Symington, also, in that capacity, who was Secretary of the Air Force, to find out from him what knowledge he has of this. I think it is especially important, in view of the fact that Stu is one of the members of the committee.

Frankly, until I hear Mr. Adams' testimony and the rest of Mr. Stevens', it will be almost impossible to even guess at the number of witnesses to be called.

I may say that, as the Chair knows, I have only had a few 10-minute periods to question Mr. Stevens. Much of the time has been taken up by the Secretary in his answers, and I know that we should also keep in mind that I didn't start this; that it started as a result of the report filed by Mr. Stevens and Mr. Adams. The charges against my staff in that report are very serious, and if they were true it would result in the loss of the job of these two men and the loss of their reputation.

Therefore, while I dislike continuing the examination of Mr. Stevens to any great length, we are examining not on my charges, but upon his, and I anticipate it might take at least, I would say at least 3 days to complete the examination of Mr. Stevens. At the end of that time, I don't know how many witnesses we would have to call.

Senator McCLELLAN. Mr. Chairman.

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. May I suggest we are wasting time. Let us proceed.

Mr. BRYAN. Mr. Chairman, Mr. Hensel has been named as a party in this proceeding. In response to your inquiry, there has been no testimony that I have heard even remotely involving Mr. Hensel in this situation, and the way the testimony now stands I would see no necessity for calling any witnesses on behalf of that party.

Senator MUNDT. Thank you, sir.

Senator SYMINGTON. Mr. Chairman.

Senator MUNDT. Senator Symington.

Senator SYMINGTON. It is now 7 minutes of 11 o'clock. I would like to support Senator McClellan. Let us get to work.

Senator MUNDT. The Chair was about to ask the first person in line to begin the questions. He attempted to respond to the parliamentary inquiry of Senator Dirksen.

May the Chair say that over the weekend a great many suggestions have come to him as to how we can expedite the hearing. The two that were stated most frequently were as follows: Over and over again people have called up and written—and I appreciate their suggestion—that we could expedite the hearings if we would hold the

hearings in executive session and remove the photographers and the press and the television from the room.

The second greatest number of requests came in to suggest that we simply remove the photographers and the television people from the room and leave the press.

The Chair must say in all candor he is not impressed by the suggestion that we run these hearings as a star chamber proceeding. It was decided to do it open and in the public, and we believe television and reporters both have done an excellent job. We believe each helps to check on the others. We think if we are going to have open hearings they should be open. We don't want to get into a feud between those who want to throw the press out and keep the television and those who want to throw the television out and keep the press.

I believe Senator McClellan was the next in line to ask questions.

Senator McCARTHY. Before you start the questioning, Mr. Chairman, could I make it very clear that while I feel this will take a long time, I feel as strongly as anyone that this is a vast waste of time.

The only position I can take in this is that when charges are made against my staff I have to defend them to the fullest extent. Beyond that I do think it is a great waste of time.

Senator POTTER. Mr. Chairman, I renew my suggestion for night sessions.

Senator MUNDT. Do any of the members now want to express themselves on the suggestion for expediting the hearing before we start expediting them by beginning?

Senator McClellan, I believe it is your turn to ask questions if you have any.

TESTIMONY OF HON. ROBERT T. STEVENS, SECRETARY OF THE ARMY—Resumed

Senator McCLELLAN. Mr. Chairman, in the interest of expediting these hearings, I pass.

Senator MUNDT. Senator Dirksen?

Senator DIRKSEN. Mr. Chairman, I raise another question, and that is this: It occurs to me that 10 minutes for the principals is all too short to develop a line of questioning, and if it is not in violation of the rule, I would surrender my time to Senator McCarthy.

Senator McCARTHY. I thank the Senator very much.

Mr. Cohn, will you proceed?

Senator MUNDT. It would have to be accumulated and take it in turn, I believe.

Senator McCLELLAN. Mr. Chairman, under the rules, I do not believe we can begin yielding each other's time to someone else. Let us proceed in order.

Senator MUNDT. Senator McClellan believes that you cannot yield time. It will work out the same way anyhow.

Senator McCLELLAN. That was discussed, but another party sitting here may have some questions, and his questions should come in order.

Senator MUNDT. That is correct.

Senator Jackson?

Senator JACKSON. No questions.

Senator MUNDT. Senator Potter?

Senator POTTER. In order to expedite the hearings, I have no questions.

Senator MUNDT. Senator Symington?

Senator SYMINGTON. I have no questions.

Senator MUNDT. Senator Dworshak?

Senator DWORSHAK. No questions.

Senator MUNDT. Mr. Welch?

Mr. WELCH. No questions.

Senator MUNDT. Senator McCarthy, you or Mr. Cohn. Ten minutes.

Senator MCCARTHY. Mr. Cohn.

Mr. COHN. Mr. Secretary, I want to refer very briefly to the meeting November 6 again as the basis of another line of questioning. Could you tell us, sir, why you asked Senator McCarthy and his staff to come to your office on November 6?

Secretary STEVENS. To discuss the Fort Monmouth situation.

Mr. COHN. What suggestion did you have in mind concerning the Fort Monmouth situation?

Secretary STEVENS. I was worried about the manner in which the hearings were being conducted.

Mr. COHN. Did you ask us on that day, sir, to suspend hearings at Fort Monmouth?

Secretary STEVENS. I said that I didn't like to have the Army hammered over the head in the type of hearings which were being held.

Mr. COHN. Did you ask us to suspend the type of hearings which were being held?

Secretary STEVENS. I would say that would be the clear implication. I don't recall the language that I used. The type of hearing was the thing I was concerned with.

Mr. COHN. Very well.

Mr. Stevens, prior to this occasion, prior to November 6, did you or any authorized representative of yours ask directly that Senator McCarthy stop the hearings on Communist infiltration in the Army?

Secretary STEVENS. The only thing that I recall at this moment, Mr. Cohn, is that I got the idea at the 14th of October meeting that Senator McCarthy was about to turn the investigation over to the Army.

Mr. COHN. That was the idea you got from him, sir, is that correct?

Secretary STEVENS. I got it from that meeting.

Mr. COHN. My question, sir, was this: Prior to the November 6 luncheon, did you or any duly authorized representative of yours directly ask Senator McCarthy and the staff to stop hearings on Monmouth and Communist infiltration in the Army?

Secretary STEVENS. I know that we were greatly concerned over the type of hearing that was being held, Mr. Cohn.

Mr. COHN. Mr. Jenkins. Mr. Chairman. I am awfully sorry. I don't want to prolong this, but I can't get an answer. I am trying to find out—maybe it is my fault.

Mr. JENKINS. Will you repeat the question?

Mr. COHN. Maybe I don't make myself clear. What I am trying to find out from the Secretary is if on any occasion prior to November 6 he, the Secretary, or any authorized representative of his, directly

asked Senator McCarthy to stop hearings on Monmouth and Communist infiltration in the Army.

Mr. JENKINS. That, of course, is a legitimate question.

Secretary STEVENS. I can speak——

Senator MUNDT. The witness can answer "yes" or "no," and then explain.

Secretary STEVENS. I can speak only for myself. I don't recall having done so; no, sir.

Mr. COHN. Your testimony is that you do not recall having done so?

Secretary STEVENS. Yes.

Mr. COHN. Do you recall a trip we all took up to Fort Monmouth on October 20?

Secretary STEVENS. That is right.

Mr. COHN. That was in a plane which you supplied, is that correct?

Secretary STEVENS. Which the Air Force supplied.

Mr. COHN. Which the Air Force supplied. You arranged the flight, is that correct?

Secretary STEVENS. My office did.

Mr. COHN. You were there, and Mr. Adams?

Secretary STEVENS. That is right.

Mr. COHN. Senator McCarthy was there?

Secretary STEVENS. That is right.

Mr. COHN. I was there?

Secretary STEVENS. That is right.

Mr. COHN. Senator Dirksen's assistant, Mr. Rainville, was there?

Secretary STEVENS. Yes.

Mr. COHN. And Senator Potter's assistant, Mr. Jones?

Secretary STEVENS. I think that is correct.

Mr. COHN. On that occasion, Mr. Stevens, did you ask Senator McCarthy to stop holding hearings on Communist infiltration at Fort Monmouth and in the Army?

Secretary STEVENS. I don't recall that I asked him to stop any hearings. I know there was a good deal of discussion on that plane going up there with respect to the plan from there on, and what type of statement might be given out in regard to the Fort Monmouth hearings.

Mr. COHN. Mr. Stevens, I suggest to you, sir, that on October 19 at your instruction Mr. Adams sent to Senator McCarthy a written statement which you wanted Senator McCarthy to make, in which Senator McCarthy was to say that he would stop all hearings on Communist infiltration at Fort Monmouth and in the Army. Is that so, sir?

Secretary STEVENS. I don't know. I know that Mr. Adams had some kind of a suggested statement on the plane on the 20th. I don't know about the 19th that you are referring to.

Mr. COHN. Mr. Stevens, on October 19, did Mr. Adams discuss with you a statement which he brought over to the Senate Office Building and asked Senator McCarthy to make?

Secretary STEVENS. I know that he had been trying to work up some kind of a statement to discuss with Senator McCarthy on the plane, and just what he did with it prior to being on the plane I don't know, but I remember it was discussed on the plane.

Mr. COHN. Mr. Stevens, did not that statement which was drawn up the day before, and which I agree with you, sir, was discussed on

the plane, did not that statement suggested by your office call for Senator McCarthy to make a public announcement that he was, as of October 20, stopping hearings on Monmouth, and did not Senator McCarthy flatly refuse to make that statement?

Secretary STEVENS. I don't recall that. Most of the discussion, I think—I had very little if any discussion—and I think it was mostly between Mr. Adams and members of the staff, of your staff, and as I say on the 14th of October, 6 days prior, I gained the impression that Senator McCarthy was going to turn the hearing over to the Army. And this was 6 days later and it would have been very natural that it was discussed.

Mr. COHN. Mr. Stevens, you say——

Mr. JENKINS. Mr. Cohn, one moment, please.

And now, Mr. Secretary, first of all I want to say Mr. Cohn asked you two questions, and now if he will separate those questions, his first question you probably recall, I think calls for a "yes" or "no" answer. It is a simple question, and that is whether or not a statement was prepared by Mr. Adams for Senator McCarthy to sign in which he stated that he was calling off the investigation of Fort Monmouth. That is question No. 1.

Now, do you or not know whether or not such a statement was prepared by Mr. Adams and submitted to Senator McCarthy for his signature? I think that you can answer that question.

Secretary STEVENS. I know there was a statement discussed on the plane, Mr. Jenkins, and I do not know exactly what was in the statement, and I couldn't tell you what was in it; and I could give you my general impression of it.

Mr. JENKINS. Then your answer to Mr. Cohn is, to his question, that you do not know whether or not that is true; is that correct?

Secretary STEVENS. My recollection is that we had the statement on the plane, Mr. Adams did, and it was discussed on the plane. That is my recollection of the event.

Mr. JENKINS. Did you see the statement?

Secretary STEVENS. I must have seen it, but I don't recall what was in it particularly.

Mr. JENKINS. Well, definitely and particularly, do you recall whether or not in it Senator McCarthy was to say that he was discontinuing or calling off his investigation of Fort Monmouth?

Secretary STEVENS. That point I do not recall, because it was the type of hearing that I was interested in and I do not recall.

Mr. JENKINS. Your answer is that you do not recall?

Secretary STEVENS. That is right.

Mr. JENKINS. Now, his next question was whether or not Senator McCarthy refused to sign that statement. Did he or not?

Secretary STEVENS. I don't think anybody asked him to sign it.

Mr. COHN. It was a question of issuing the statement, Mr. Jenkins.

Mr. JENKINS. Did or not Senator McCarthy refuse to issue such a statement publicly?

Secretary STEVENS. I think on the plane, and I was in the conversation very little, myself, on the plane, going up to Monmouth, my recollection or my impression of it was that Mr. Adams, and members of Senator McCarthy's staff, were making progress in the preparation of some kind of statement. I don't think on the plane Senator

McCarthy said that he wouldn't issue such a statement, and if he did I didn't hear it.

Mr. JENKINS. The only reason I interrupted was that your question embraced two questions.

Mr. COHN. I am sure you are right, and I hope any time I do that that you will interrupt me, and please feel free to do so.

Senator MUNDT. Mr. Cohn may proceed and the interruption by Counsel Jenkins will not be taken out of his 10 minutes.

Mr. Cohn.

Mr. COHN. Mr. Stevens, I want to get back to October 19, sir, if I may. Did Mr. Adams confer with you on October 19, and did he—I will stop right there. Did Mr. Adams confer with you on October 19 about the trip that was to be made to Monmouth the next day?

Secretary STEVENS. I would have to check up my records to see whether or not he did. I think it would be a natural thing if he had spoken to me on the 19th.

Mr. COHN. Did he discuss with you a proposed statement which he was to attempt to get Senator McCarthy to make, announcing that Senator McCarthy was stopping hearings on Communist infiltration at Monmouth?

Secretary STEVENS. Now, wait a minute, there are several pieces to that question, too. I am quite confident that Mr. Adams was preparing a statement, but as to whether it contained the language that you are talking about or not, I don't know.

Mr. COHN. Wouldn't it be inconceivable in the light of other testimony you have given here if that testimony of yours is accurate, that on October 20 you would have asked Senator McCarthy to stop without any qualifications, just to stop holding hearings on Fort Monmouth, and not change the type of hearing, but stop holding hearings?

Secretary STEVENS. I don't think that that would follow at all.

Mr. COHN. In other words, sir, you feel it would be consistent with other testimony you have given here that on October 20, you would have asked Senator McCarthy to announce publicly he was stopping hearings and not changing the type, but stopping the hearings on Monmouth?

Secretary STEVENS. I think that the idea of a statement was to try to have a statement that could be jointly, if you might say, issued, which would show that we were working together, and we were going forward jointly with this work, but I recall no statement about stopping the investigation.

Mr. COHN. Mr. Jenkins, I believe the question to which I was trying to get an answer and perhaps I worded it badly, sir, was whether it would be consistent with Mr. Stevens prior testimony given here, that on October 20, he asked Senator McCarthy to stop hearings at Fort Monmouth.

Mr. JENKINS. Mr. Stevens answered that, Mr. Cohn, just previous to your last question and answer, and stated that he did not necessarily think that that would follow. That that was a natural consequence. Am I right about that, Mr. Secretary?

Secretary STEVENS. Yes, sir.

Mr. JENKINS. I think he has answered your question, Mr. Cohn.

Mr. COHN. Can you tell us this, so that we can leave this topic, sir, to your recollection did Mr. Adams with your authorization, come over

here on October 19, and ask Senator McCarthy to make a written statement prepared by Mr. Adams, and I don't know whether you helped prepare it or not, the following day, calling for the stopping of hearings at Fort Monmouth?

Secretary STEVENS. I don't know whether he came over or not. Mr. Adams can testify to that.

Mr. COHN. Do you know whether he submitted to Senator McCarthy a statement calling for the stopping of hearings at Fort Monmouth?

Secretary STEVENS. I know there was a statement discussed on the plane, Mr. Cohn, and that is my recollection of the statement.

Mr. COHN. Did that statement, sir, contain language calling for the stopping of hearings at Fort Monmouth?

Secretary STEVENS. I have no recollection that it did.

Mr. COHN. Mr. Jenkins, sir, in view of the fact that this is crucial to our case, I would ask now as I believe it is perfectly proper procedure, that the Secretary be directed to produce the original of a draft statement submitted to us by Mr. Adams on October 19, a draft of a statement to be made by Senator McCarthy on October 20, so that we can let it speak for itself.

Mr. JENKINS. You are entitled to ask him to do so, and it is not necessary for me to do so. You are cross-examining.

Mr. COHN. With the leave of Mr. Jenkins, Mr. Stevens, I would ask, sir, that you produce for this committee a copy of a statement.

Secretary STEVENS. I don't have any such statement, Mr. Cohn. If Mr. Adams' office has, we will ask him. I don't have it.

Senator MUNDT. Your time has expired.

Mr. JENKINS. I have no questions, Mr. Chairman.

Senator MUNDT. The Chair has none at this time.

Senator McClellan.

Senator McCLELLAN. I have none.

Senator MUNDT. Senator Dirksen.

Senator DIRKSEN. I have none.

Senator MUNDT. Senator Potter.

Senator POTTER. I have none.

Senator MUNDT. There are none from the Senators on my right. Does Mr. Welch have any?

Mr. WELCH. None.

Senator MUNDT. You may continue, Mr. Cohn, for another 10 minutes.

Senator McCARTHY. Mr. Stevens, in line with the last question asked by Mr. Cohn, was there a press release which you prepared and mimeographed, and gave to me asking me to have it released, and I refused, and did you keep a copy of that on file?

Secretary STEVENS. I don't recall. I don't think I have it in my file, and maybe Mr. Adams has.

Senator McCARTHY. You don't know?

Secretary STEVENS. I don't have it, Senator.

Senator McCARTHY. I know you don't have it in your pocket.

Secretary STEVENS. That is right.

Senator McCARTHY. But is it on file?

Secretary STEVENS. I don't know. I don't think that there is any in my files.

Senator McCARTHY. Well, now, could you ask one of the youngsters here to check and let us know.

Mr. WELCH. For the information of the men who should know, is the fact——

Senator MUNDT. You will address the Chair.

Mr. WELCH. I beg your pardon.

Senator MUNDT. Do you have a point of order?

Mr. WELCH. My point of order—it is not a point of order—I am just trying to say we have no such statement in our files, Senator. That is the information that I get from men behind me who ought to know.

Mr. JENKINS. Mr. Chairman, in view of the Secretary's statement, he has no such document, but Mr. Adams might have such a document, I think it would be perfectly proper to give him time to confer with Mr. Adams now and state whether or not Mr. Adams has such a document.

Mr. COHN. That is perfectly agreeable.

Mr. JENKINS. That would expedite matters.

Senator MUNDT. You may do so, Mr. Secretary, on advice of our counsel.

(The witness conferred with Mr. Adams.)

Secretary STEVENS. Mr. Adams advises me——

Senator MUNDT. Secretary Stevens.

Secretary STEVENS. Mr. Adams advises me that he doesn't have anything in his files.

Mr. COHN. Mr. Jenkins, sir, may I then ask, as has been the practice, that you issue a subpoena for the stenographic notebooks from Mr. Adams' office for the date October 18, 1953, from his secretary, so that we may establish the crucial wording of this statement which Mr. Adams brought over here and asked Senator McCarthy to issue?

Mr. JENKINS. That will be done, Mr. Cohn.

Senator MUNDT. Very well.

Proceed, Mr. Cohn or Senator McCarthy. You have part of your 10 minutes left.

Senator MCCARTHY. I will turn the questioning back to Mr. Cohn.

Mr. COHN. Mr. Jenkins, with your leave, I will leave this particular line of questioning and return to it after we have had the opportunity to get the exact wording of that statement. I will then wish to examine Mr. Stevens on that because we feel that it is crucial to the issue in this case.

Mr. JENKINS. Mr. Cohn, let me remind you that you do not have to have my leave——

Mr. COHN. All right, sir.

Mr. JENKINS. Consent or that of any member of the committee so long as the line of examination is within the range of the issues.

Mr. COHN. Very well, thank you.

Mr. Secretary, returning to a topic which we were in the middle of on Friday afternoon when we concluded on General Lawton, did I understand your testimony to be this, sir: That on November 25 General Back submitted to you a written explanation as supplied by General Lawton explaining what he had said in a speech concerning which you expressed some displeasure. Is that right?

Secretary STEVENS. That is right.

Mr. COHN. And based on that written explanation you decided to retain General Lawton in command and have done so since, is that correct, sir?

Secretary STEVENS. He has been continued in command.

Mr. COHN. Did you decide on the basis of that statement submitted by General Lawton that his explanation was satisfactory?

Secretary STEVENS. It was not tied to that statement at all, Mr. Cohn. That was one of the many considerations that I took into account in coming to a conclusion in the matter to continue General Lawton on as commanding general at Fort Monmouth.

Mr. COHN. When did you reach the conclusion that you would continue General Lawton, sir?

Secretary STEVENS. When did I reach it?

Mr. COHN. Yes, sir.

Secretary STEVENS. It was a conclusion that developed as we went along when I had an opportunity to observe as to how General Lawton would operate.

Mr. COHN. Maybe I don't make myself clear on that.

We have that on November 24 and November 25 you were giving serious consideration to dismissing General Lawton from his command at Fort Monmouth, is that so?

Secretary STEVENS. Yes, I gave that serious thought.

Mr. COHN. All right. When did you conclude that you would not at that time relieve General Lawton?

Secretary STEVENS. No specific date.

Mr. COHN. Approximately when did you reach that decision?

Secretary STEVENS. No specific date. I observed to see how the thing got along, how he was doing, and as he went along I felt that General Lawton had demonstrated that he could do the job, so we left him on the job.

Mr. COHN. You will agree with me that there was a crisis on November 25—

Secretary STEVENS. No, I won't agree there was any crisis at all. I have testified that on the 31st of October I had General Back in and discussed General Lawton with him in detail at that time. There wasn't any crisis.

Mr. COHN. Did you not tell us on Friday that on November 24 you telephoned Mr. Adams in New York to get, I think your word was, Senator McCarthy's reaction to the possibility of dismissing General Lawton?

Secretary STEVENS. I testified that I asked Mr. Adams to advise Senator McCarthy, in line with my cooperation with him and his committee, that I would like to know what his reaction would be.

Mr. COHN. Did you not, on November 24, send for General Back and ask a written explanation from General Lawton as to certain things which he had said?

Secretary STEVENS. I asked General Back to find out what the substance of the speeches were that General Lawton had been reported to have made at Fort Monmouth.

Mr. COHN. Did you not indicate to General Back that you were then and there considering relieving General Lawton of his command?

Secretary STEVENS. I told him I was giving the matter thought.

Mr. COHN. On the next day, sir, did not General Back return to your office, to your outer office, with General Lawton?

Secretary STEVENS. He did.

Mr. COHN. Did you not see General Back?

Secretary STEVENS. I saw General Back.

Mr. COHN. Did you not refuse to see General Lawton?

Secretary STEVENS. I did not refuse to see General Lawton. I am a very busy man with a great deal of problems to carry on for the Department of the Army, and I just can't see everybody who wants to see me.

Mr. COHN. Weren't you talking to General Back about General Lawton?

Secretary STEVENS. I was.

Mr. COHN. Would it have taken any more time to have General Lawton in there so he could talk to you face-to-face about this matter?

Secretary STEVENS. I would have talked with General Back first privately about such a matter in any event.

Mr. COHN. Granted that, sir, after you talked to General Back privately, did you then talk to General Lawton?

Secretary STEVENS. No, I did not.

Mr. COHN. Why, sir?

Secretary STEVENS. Because I didn't have the time. I felt the situation was in hand with the conversation that I had had with General Back.

Mr. COHN. By saying that the situation was in hand, did you feel that the written explanation supplied satisfied you?

Secretary STEVENS. I testified, Mr. Cohn, that that was one of the considerations. Now, there were a lot of other considerations. That wasn't the only thing. It wasn't the only consideration. This is something that had been going on over a matter of weeks.

Mr. COHN. Was there any other occasion when General Lawton was called to Washington and brought to your outer office and asked to furnish a written explanation in the face of being relieved of his command?

Secretary STEVENS. No, there was not.

Mr. COHN. Then wouldn't you say this was a crisis?

Secretary STEVENS. I would not, and it was not. The fact remains that General Lawton was continued on his job and is still on it.

Mr. COHN. Well, sir, what I want to explore now is the reason for that. Was it not of sufficient importance for you to reach Mr. Adams in New York and ask for an immediate reaction from Senator McCarthy for the dismissal of General Lawton?

Secretary STEVENS. I have testified repeatedly, and I now do it again, that I asked Mr. Adams to inform Senator McCarthy that I was giving thought as to whether or not to continue General Lawton on the job; that I would like Senator McCarthy to know that because of my policy of cooperation with him, and I would be interested in knowing what his reaction was.

Mr. COHN. Did you not, sir, advise Mr. Adams that you were waiting only on approval from Senator McCarthy before acting to relieve General Lawton?

Secretary STEVENS. I don't think I did.

Senator MCCARTHY. Roy, may I interrupt.

I am not sure if you made clear whether his call to Adams was after he refused or failed to see Lawton, or before that. I think that is rather important.

Mr. COHN. Was your call to Mr. Adams before or after you refused to see or before you did not see General Lawton?

Secretary STEVENS. I just don't remember. I think it was on the same day, but I don't recall. I think I could check it up and find out, but I don't recall at the moment whether it was before or after.

Mr. COHN. I wonder if I could get the question before the last which the Secretary answered? I think I asked him whether or not he was waiting only on Senator McCarthy's approval before dismissing General Lawton. I wonder what his answer was to that.

(Whereupon, the question and answer referred to were read by the reporter as above recorded.)

Mr. COHN. I was wondering if it would be possible, sir, for you to give us a direct answer to that very important question. Could you tell us yes or no to that?

Secretary STEVENS. No, I don't recall that I did, Mr. Cohn.

Mr. COHN. You don't recall whether or not the only thing that you were waiting for before dismissing General Lawton was Senator McCarthy?

Secretary STEVENS. I don't recall, but I would be quite confident that such was not the case.

Mr. COHN. Sir, did you not know that Mr. Adams came to see Senator McCarthy on the night of November 24, at the television studio where the Senator was delivering an address at 10:30 at night, saying he must have an answer for you by the next day because you desired to relieve General Lawton of his command on the very next day?

Secretary STEVENS. That would be all hearsay with me, and I don't know what Mr. Adams did on that night.

Mr. COHN. Did he not report to you, sir?

Secretary STEVENS. I recall no efforts at any television studio or anything of the kind.

Mr. COHN. Do you recall the telephone call from Mr. Adams to you the following afternoon, reporting Senator McCarthy's reply to your request?

Secretary STEVENS. I know that he called me back.

Mr. COHN. Did he tell you at that time that Senator McCarthy would not agree to the dismissal of General Lawton?

Secretary STEVENS. I think that he said that Senator McCarthy, my recollection of what he said was that he was very nice about it, but felt that he probably would be criticized somewhere, somehow, if General Lawton was relieved or something of that kind.

Mr. COHN. That was on the afternoon of November 25?

Secretary STEVENS. I think that was the date.

Mr. COHN. That was the same date that General Lawton was in your outer office?

Secretary STEVENS. I think the same date, yes, sir.

Mr. COHN. Sir, is the reason you did not see General Lawton was because you were angry at him and displeased with him?

Secretary STEVENS. The reason I didn't see him?

Mr. COHN. Yes, sir.

Secretary STEVENS. The reason I didn't see him, primarily, was, (a) I didn't have the time at that particular time; and (b), I was giving thought to whether or not to maintain General Lawton on the job. And it seemed to me that I would like to continue my thought on that subject and collect together such additional information as I could and in due course come to my own conclusion.

Mr. COHN. I see, and can you tell us when you came to that conclusion, after the immediate problem?

Secretary STEVENS. No particular date.

Mr. COHN. Mr. Stevens, is it a fact that in the 6 weeks following November 25 on repeated occasions to your knowledge, Mr. Adams entreated Senator McCarthy to give approval to the dismissal of General Lawton?

Secretary STEVENS. I don't know whether that is a fact or not.

Senator MUNDT. Mr. Cohn's time has expired.

Mr. Counsel.

Mr. JENKINS. I have no questions.

Senator MUNDT. Do any of the Senators to my right have any questions at this time? Do any of the Senators to my left have any?

Mr. Welch, do you have any?

Mr. WELCH. None, sir.

Senator MUNDT. Mr. Cohn or Senator McCarthy?

Senator McCARTHY. Mr. Secretary, at the opening of the hearing, the Chair and rightly so suggested that all of us had a very heavy responsibility, and he mentioned at that time that the press also had a heavy responsibility, and I just wonder from some of the stories I have read whether, as I sat here, I didn't hear your testimony which was reported in one of the papers, April 29, a statement that Private G. David Schine was depicted today as a recruit who wore tailormade uniforms. That is the day you testified.

Did you ever testify that Schine had tailormade uniforms?

Secretary STEVENS. No, sir.

Senator McCARTHY. And the fact is as far as you know, this is completely without foundation?

Secretary STEVENS. I know I didn't testify to that.

Senator McCARTHY. As far as you know, and you were testifying that day, as far as you know this story is completely without foundation?

Secretary STEVENS. I don't have any knowledge about that story, Senator McCarthy, and all I know is I never said any such thing.

Senator McCARTHY. In view of the fact that people read these stories, and many people believe them, I would like to ask you: Do you have any information you received at any time from any source that Mr. Schine wore tailormade uniforms?

Secretary STEVENS. I don't have any personal knowledge of it, no, sir.

Senator McCARTHY. You say personal knowledge. Let us not qualify. If you got it by hearsay or any other way, let us hear about it. I just want to know if there is any basis in fact for this story.

Secretary STEVENS. Personally I have heard nothing about tailormade uniforms.

Senator McCARTHY. The only thing you heard about improper uniform was that he couldn't get shoes to fit his large feet and he bought his own shoes; isn't that correct?

Secretary STEVENS. That was mentioned here the other day.

Senator McCARTHY. That is the only deviation from the regular uniform that he bought shoes that fit him?

Secretary STEVENS. I can't testify that is the only deviation. I just don't know. It isn't possible for me to know what every private in the Army wears, Senator McCarthy.

Senator McCARTHY. But you are making a great deal about this particular private, and you testified about the fact about his uniform and I am asking you the simple question, isn't it a fact that the only complaint about the uniform is that he bought shoes that fit him?

Secretary STEVENS. I haven't testified about anything about what Private Schine wore or didn't wear. I heard the other day about the shoes.

Mr. JENKINS. Mr. Secretary, may I make a suggestion in the interest of getting along. Senator McCarthy's question was whether or not you heard or received information that the only deviation from the regular uniform was shoes that Schine had purchased, that were not regulation shoes. Now, the question goes to your information, and you can answer that, and we will get along whether or not you received such information. Did you or not?

Secretary STEVENS. I received information about the shoes.

Mr. JENKINS. Now, the question has been asked and answered, Senator.

Senator MUNDT. The Chair would like to sustain the point of order, by suggesting to counsel and committee members, if he will try to ask questions which are susceptible to a yes or no answer, and if witnesses will try and make a yes or no answer, we can certainly move forward much more rapidly than we now are.

Senator McCARTHY. I am sure the Chair will agree with me that the question was susceptible to a yes or no answer.

Now, again having reference to the Chair's statement, about the duty upon the part of the press to tell the truth, I find here a story written by the North American Newspaper Alliance, dated April 27, 1954, and it says—

Mr. JENKINS. Now, Senator, is that the basis of a question that you are about to ask the witness?

Senator McCARTHY. Yes.

Mr. JENKINS. I think it is perfectly proper.

Senator McCARTHY. This is the day you testified, Mr. Stevens. "G. David Schine was enjoying filet mignon and champagne at the Stork Club in New York, when he should have been peeling potatoes at Fort Dix." Now, if this is untrue, it is rather a vicious reflection upon the Army's handling of this private, and if it is true we should know it. Did you ever testify or do you have any knowledge to the effect that this private was enjoying "filet mignon and champagne at the Stork Club in New York when he should have been peeling potatoes at Fort Dix"?

Mr. JENKINS. You can answer that yes or no.

Secretary STEVENS. I didn't testify to that effect.

Mr. JENKINS. You can answer that yes or no.

Secretary STEVENS. Then, I would like to have the recorder read it back.

Senator McCARTHY. Let me restate it for you.

Secretary STEVENS. No, I would like to have it read.

Senator MUNDT. The reporter will read it and perhaps we can get a yes or no answer.

(The reporter read from his notes as requested.)

Secretary STEVENS. I certainly never testified to that effect, Mr. Jenkins.

Mr. JENKINS. The question also embraced whether or not you testified. You say you didn't and that is a definite answer.

Secretary STEVENS. Yes.

Mr. JENKINS. And he likewise asked you whether or not you had any knowledge that such was the fact. You can answer that "Yes" or "No." Did you have any knowledge that such was the fact?

Secretary STEVENS. The "Yes" or "No" business is very difficult, Mr. Jenkins.

Mr. JENKINS. Surely; it seems to be. I am not arguing with you, Mr. Secretary, please understand that. We are trying to get along and bring this thing to a conclusion sometime. Do you know whether or not anybody ever told you, any person, any newspaper account, whether or not you had any knowledge that Private Schine was enjoying filet mignon when he should have been peeling potatoes? Did anybody ever tell you that? Did you have any knowledge of such a thing as that, even from hearsay? That is what the Senator is asking.

Mr. STEVENS. The question has certainly been raised with me as to whether or not Private Schine was not in New York at times when he should have been at Fort Dix.

Mr. JENKINS. This question is whether or not he is eating steaks in New York City when he should have been down at Fort Dix peeling potatoes. Did anybody ever tell you such a thing as that?

Secretary STEVENS. No, I don't think I ever heard that.

Mr. JENKINS. Now we have an answer. Go ahead?

Senator McCARTHY. Then as far as this story is concerned, it is false and manufactured out of whole cloth.

Mr. JENKINS. Mr. Secretary, I instruct you and suggest that you do not have to answer that. You don't have to pass on the question of the truth or falsity of what some newspaper wrote. I think Senator McCarthy overstepped the bounds of propriety when he asked you that question.

Senator MUNDT. The Chair upholds the point of order. You may proceed.

Senator McCARTHY. Let me ask you this question: Is the statement that Schine was enjoying filet mignon and champagne at the New York Stork Club in New York when he should have been peeling potatoes at Fort Dix, as far as you know, completely false, regardless of who made it?

Mr. JENKINS. Mr. Secretary, I recall that you have answered that question definitely. You said first of all that you had no personal knowledge of it. Then you said, secondly, no one had informed you of such a fact.

Secretary STEVENS. That is right.

Mr. JENKINS. It is repetitious and I hope, Senator, you will pass to another line of interrogation.

Senator MUNDT. Proceed, Senator McCarthy.

Counsel holds that question has been answered definitely in the negative.

Senator McCARTHY. Do I understand you have no knowledge whatsoever of such an occurrence and never testified to such an occurrence?

Mr. JENKINS. Senator, I again remind you that the Secretary has given a definite answer, and I do request that you pass to another line of interrogation.

Senator McCARTHY. I respect counsel, but if counsel doesn't mind, I will conduct the interrogation until I get the answer. I don't think I have an answer to this. If I have, it is very simple for Mr. Stevens to repeat it.

I just read a statement to you. I asked you whether or not you have any knowledge of any kind from any source that there is any truth in that statement.

Mr. JENKINS. Apparently Senator McCarthy did not hear you or understand your answer, Mr. Secretary. I am sure you won't mind repeating your answer, and I now respectfully request you to do so.

Senator McCARTHY. Thank you, Mr. Jenkins.

Mr. JENKINS. Will you read that so I am sure?

Senator MUNDT. The reporter will read the question. The Chair again suggests that those who ask the questions ask them so they can be answered "Yes" or "No," that those who answer them say "Yes" or "No," and that those who ask them listen to the answer.

Read the question, please.

Senator MUNDT. Would we save time if you restated the question?

Senator McCARTHY. Oh, let it go. You have heard about the Peress case, Mr. Stevens?

Secretary STEVENS. Yes, sir.

Senator McCARTHY. Have you taken the time to check into the facts, and the background of that case?

Secretary STEVENS. Not all of the details, no, Senator.

Senator McCARTHY. Now, you had a meeting at one time with Senator Mundt, and myself, and Senator Dirksen, and Senator Potter, at which time we discussed the Peress case, is that right?

Mr. JENKINS. Mr. Chairman, at this point I desire to call the committee's attention to the issues involved in this controversy. It is proper for Senator McCarthy to show the number of subversives that were either discharged or suspended at Fort Monmouth, as a result of his committee's investigations. It is not proper to go into the merits of each individual case. That would lead us into an inquiry in which Senator McCarthy would be permitted to introduce proof and the Secretary would be permitted to introduce proof as to whether or not the discharge or suspension was meritorious, and proper. There was as this committee knows, a board which passed upon the question as to whether or not a discharge was indicated as a result of testimony uncovered. The fact that the board did discharge or suspend is as far as this committee can go. It was a legally constituted board, and its decision was final, and the fact that it suspended is in itself sufficient proof and all of the proof this committee wants as to justification for the suspension. I wanted to make that clear so that we would not get into an erroneous side inquiry with respect to the merits of each individual thirty-odd cases, if indeed there were thirty-odd cases.

Senator McCARTHY. Mr. Chairman, counsel has just called my attention to the specification No. 46, which shows this inquiry is strictly within the issues, and if I may read that, "The pattern followed by Secretary Stevens and Mr. Adams is clear, as long as only individual Communists were the object of the subcommittee's investigation, they made continuing offers of cooperation with the investigation, but as soon as the problem turned to the infinitely more important question, to the infinitely more important question, of who was responsible for protecting Communist infiltration, and protecting Commu-

nists who had infiltrated every conceivable obstacle was placed in the path of the subcommittee search for the truth. An illustration of this technique is the investigation of the Army Signal Corps where cooperation was offered, and exposure of individual Communists, but where every effort was made to impede the subcommittee's attempts to examine those who had consistently cleared Communists, and had given to them a protective cover to continue and keep posts in sensitive radar laboratories. Finally, graphic example, is the case of Maj. Irving Peress, the Communist Party functionary who was commissioned a captain in spite of an open record of Communist Party activities, who claimed the fifth amendment, on questions involving his loyalty to his country, and who in the face of this fifth amendment claim was promoted to the rank of major, and whose overseas orders were canceled after intervention of a Congressman.

Then, we go on, and I don't want to take any more time, but let me read the next paragraph on second thought: The names of those people responsible for what the Department of Defense has now conceded to have been gross mishandling of this case, to the detriment of our national security, have never been made available to the subcommittee by Secretary Stevens or Mr. Adams, despite frequent demands for such information orally and in writing by this subcommittee. Messrs. Stevens, Adams, and associates have been quick to publish and release a report calculated to smear the investigators and exposure of known Communist infiltration, but despite the lapse of months they have yet to produce for the American public the long-promised report naming those officials still serving under them who are responsible for the rise in the Army of a Communist conspirator against this country.

Now, Mr. Jenkins, may I say for your information, and I know that you can't foresee the line of questioning, but the purpose of this questioning is to show that after Mr. Stevens and Mr. Adams knew that we were going to press for the names of those who knowingly promoted a Communist, individuals much more dangerous than the Communists themselves, that then is where they said, "If you don't stop, we will issue you a smear report on Mr. Cohn," and he didn't think of McCarthy, he dragged him in later. Mr. Chairman, this is the whole part of this controversy, whether or not after Mr. Adams knew that they were down to the line, that they had to give us the names of those whose names we still don't have, who have been responsible for all of the Peresses and the rest being in the Department, that is when they started to issue the reports and successfully, Mr. Chairman, successfully called off the hearing by the issuance of that smear report, and again let me finish: It is very important to show when they first threatened to issue the report, why they decided to issue it at the time they did, and unless I go into this, it is impossible to develop that.

Mr. JENKINS. Mr. Chairman, may I state this, No. 1. the fact that such a charge is made in the specifications of Senator McCarthy does not necessarily make it a relevant issue. No. 2, I have held with Senator McCarthy, and I see no reason to belabor the point, that if as a result of his investigations, any one subversive, or any number of subversives were discharged or suspended, that matter is res adjudicata. A duly constituted board passed upon it, held as far as

this committee is concerned that the proof was sufficient to justify a suspension.

Now, in the face of that, as I understand, the Senator proposes now to go into the merits of certainly one individual case, to wit the Major Peress case.

If he is permitted to go into the merits of that one case, he will be permitted to go into the merits of whether or not there was justification for a dismissal of 33 employees, if 33 employees were dismissed or suspended.

Going further, the Senator says that his line of questioning is designed to bring out, to elicit information, as to who is responsible for retarding his work, of for retaining these subversives who were discharged, and they are now branded as such by reason of their being discharged temporarily, at least.

Certainly, the Chair holds—I beg your pardon—that counsel holds, and I am not trying to usurp the prerogatives of our able and distinguished chairman, and let me make that clear. But one of the charges is, and I think it is germane to this issue, that not only was there an attempt made to stop the investigation of Fort Monmouth, but that there was an attempt made to stop Senator McCarthy's committee from exposing those who allegedly were responsible for the failure to detect the existence, the presence of these subversives at Fort Monmouth. That subject is one of proper inquiry.

Now, I have held with the Senator on about three-fourths of his points of objection, and I hope we won't belabor this point.

Senator McCARTHY. Mr. Jenkins, may I say to the very able counsel that I am not sure you have completely gotten the point that I tried to make.

Mr. JENKINS. Only one objection, Senator, and that is going into the merits of each individual case, including the Major Peress case. You have apparently been vindicated insofar as your investigation is concerned if your efforts resulted in the suspension of one or more bad security risks.

Senator McCARTHY. May I say, Mr. Jenkins, I do not intend to go into the merits of the Major Peress case. Incidentally, Major Peress was honorably discharged, not suspended. I do not intend to go into the merits of that case. The position I take, and I would like to make this clear once and for all, is that the opposition of the Secretary and Mr. Adams, with Mr. Hensel in the background, reached its height at two points: Once when we tried to find out who was responsible for returning Communists to the radar laboratories, and the next time when we tried to find out who was responsible for the special treatment for this fifth amendment Communist.

As I say, I do not intend to explore the merits of the Peress case, but the facts surrounding the promises made to us, our demands for additional witnesses, what happened when those demands were made and when those demands were not honored.

Perhaps if I go ahead with the questions, if counsel will listen to me I am sure he will agree that these questions are proper.

Mr. BRYAN. Mr. Chairman, Senator McCarthy just made a reference to Mr. Hensel in the background. There is no evidence of that kind. That is a gratuitous statement by Senator McCarthy, and I object to it as a statement of fact by counsel which has no support whatsoever.

Senator MUNDT. The Chair hopes that we can continue to keep Mr. Hensel in the background until he is brought into the case by some specific testimony or being called to the stand.

Senator McCARTHY. Mr. Chairman, just so there is no inference left that we are unfair to Mr. Hensel, the testimony has been that he was the man who prepared or helped to prepare the charges against Mr. Cohn.

Senator MUNDT. The committee is aware of the fact that that is included in your specifications. We are not interrogating, at the moment, Mr. Hensel. He made a rejoinder, but that is not before us for the time being.

Senator McCARTHY. Mr. Stevens, Mr. Jenkins makes the point that we should not go into the merits of any individual case. I agree with him on that. I am not concerned about the merits of this fifth-amendment case. They were disposed of. But let's go a step further. We did discuss with you, did we not, the question of calling before the committee the people in the Pentagon who were responsible for the special treatment received by this fifth amendment Communist after his record disclosed he was a Communist? We discussed that with you, didn't we?

Secretary STEVENS. When do you mean, Senator?

Senator McCARTHY. At a meeting in the Capitol restaurant, a meeting attended by you, Senator Mundt, myself, and Senator Potter.

Secretary STEVENS. That is correct. The Peress case was discussed.

Senator McCARTHY. After considerable discussion back and forth, it was agreed that the committee was entitled to the production of those responsible; that while you had a right to instruct them not to answer any questions which would violate any Army Regulations, which would violate security, that you had no right to order a witness not to appear, and agreed that—maybe the question is too long. I will stop there.

Secretary STEVENS. That was discussed, and I told you, Senator McCarthy, that as soon as I had gotten back from the Far East—let me say I didn't know anything about the Peress case until after he was out of the Army. Then I learned a lot about it. I stated at that meeting that you referred to that—the Inspector General's report, which I had instructed be made with respect to the Peress case—and I had given that instruction—

Mr. JENKINS. May I warn the Secretary that perhaps you are about to make the merits of the Peress case relevant by discussing it yourself and presenting your side and your conclusions.

I want to say that it is not a proper subject of investigation, and this committee does not want to hear it; and I suggest, Mr. Welch, that Mr. Secretary not refer to the merits of the Peress case. It could be made relevant.

Mr. WELCH. Mr. Chairman, I am in agreement with Mr. Jenkins, and I think this particular inquiry should now be terminated. I will take the responsibility of instructing the witness that under the rulings of the counsel, he need not testify further in respect to the Peress case.

Senator MUNDT. That may be going a little bit beyond counsel's admonition, I might suggest, but at least the Chair believes the Secre-

tary has answered the Senator's question about the luncheon, and suggests to the Senator that he continue with his questioning.

Senator McCARTHY. Will you proceed with your answer, omitting what counsel suggested to you, Mr. Stevens?

Mr. WELCH. A point of order.

Senator MUNDT. Will you restate the question? It occurs to the Chair he had already answered the part you asked him.

Mr. WELCH. Mr. Chairman.

Senator MUNDT. Do you have a point of order, Mr. Welch?

Mr. WELCH. I have. I am under the impression that Mr. Jenkins has foreclosed this line of inquiry and, if so, I don't want to proceed with it.

Mr. JENKINS. May I suggest that the reporter read the question, and then we will know, Mr. Welch, whether or not it is a proper question at this time.

Senator MUNDT. The reporter will read the question that the Secretary was answering at the time of the interruption.

(Whereupon, the question was read by the reporter as above recorded.)

Mr. JENKINS. Mr. Welch, I don't believe the Secretary answered that question, and I believe it is proper and I suggest that you give the Senator an answer to that question, Mr. Secretary.

Secretary STEVENS. I said to the Senators, to Senator McCarthy, that when the Inspector General report was complete, that whatever names were available from that report, I would make available to the committee.

Senator McCARTHY. In other words, you told us that you would have an investigation made, that you would give the committee the names of those who were responsible for the special treatment or call it what you may, of Peress?

Secretary STEVENS. We were trying to run the whole thing down and would make available the names to you.

Senator McCARTHY. Now, have you ever made those names available?

Secretary STEVENS. The Inspector General report has not been completed the last I heard.

Senator McCARTHY. Do you know at this time?

Mr. JENKINS. You can answer "Yes" or "No." Have you made the names available?

Secretary STEVENS. No, sir.

Mr. JENKINS. Very good.

Senator McCARTHY. Did you order the Inspector General to make an investigation?

Senator SYMINGTON. I take a point of order on that.

Senator McCLELLAN. He has a perfect right to state why.

Mr. JENKINS. Certainly he does, and no one has precluded him that right.

Senator MUNDT. You want to expand your answer to that?

Secretary STEVENS. I am a little nonplussed here to "Yes" and "No" business, because I am anxious to give the right kind of answers and not prolong the hearing.

Yes, the reason they haven't been submitted is because the Inspector General has not yet submitted his report, in which those names would be made available, and I don't know who they are.

Senator McCARTHY. Now, Mr. Secretary, as I recall, when you returned to the United States and found that Peress had not even an honorable discharge, you were interviewed by the press and you said at that time that this was a completely improper act, that is, giving him an honorable discharge or something to that effect.

Mr. JENKINS. Mr. Secretary, again repeating what I have said, that question is directed to the merits of the Major Peress case, and it is my ruling that you do not have to answer it.

Senator McCARTHY. Mr. Chairman, the Peress case, may I have the attention of the Chair—Mr. Chairman, the Peress case, along with the Fort Monmouth cases go to the very heart of the charges. Mr. Stevens made certain promises to us and the Chair knows that he was present, and it is very important now to find out whether he thought this was an important case, and if so, why he hasn't checked into who gave this man a promotion, an honorable discharge, and on down the line.

This goes to the motive in attempting to call off the hearings and may I say, Mr. Chairman, that I shall ask all of the questions I think are pertinent, and if the Chair rules that they need not be answered, well and good, but I must make the record so that we will have very clearly in mind what the contentions of Mr. Carr and Mr. Cohn and myself are.

Mr. JENKINS. Mr. Chairman, the Secretary's opinion of the Peress case one way or the other, is wholly immaterial in that any answer would reflect his opinion of the guilt or innocence of Peress, and that is not in issue, and it is objected to.

Senator MUNDT. The Chair will sustain an objection to any question asking the Secretary to express himself on the guilt or innocence of Major Peress. That on the basis—the Chair has the floor—on the basis that he has ordered an Inspector General report and he has advised the committee it is not complete and until it is complete the Chair feels that the Secretary has a right to withhold his judgment.

Senator McCARTHY. Mr. Chairman, I am not asking the Secretary for an opinion on the guilt or innocence of Mr. Peress. I am asking what he publicly said about the handling of this case, what he publicly said previously is not privileged in any way. I then want to find out why he didn't do something about it, and why he tried call off our hearings when we were doing something about it.

Mr. JENKINS. Mr. Chairman, if Senator McCarthy's question is what the Secretary said about the manner in which the Peress case was handled by either the Army or by Senator McCarthy, that question would be proper because one of the charges is that the Army or the Secretary and/or Mr. Adams failed to take such proper steps as were necessary to bring about the detection of subversives at Fort Monmouth.

Now, if that is the burden of your question, Senator, I think that you are entirely right about it. Is it or not?

Senator McCARTHY. I think it is, and if the question were reread, we would find it is.

Mr. JENKINS. That is a different question to what you just asked prior thereto, Senator.

Senator MUNDT. Will you rephrase your question?

MR. JENKINS. The question is now whether or not the Secretary made any criticism of the way the Army handled the Major Peress case, is that right?

Senator McCARTHY. That is right. Let me rephrase the question.

Rather than taking the time to have it reread, when you returned to the United States, Mr. Secretary, and got off your plane, did you make a statement in regard to the handling of the Peress case, a statement for the press?

Secretary STEVENS. May I explain that, just what transpired, in order to give all of the facts?

MR. JENKINS. If it is possible to tell him whether or not you made a statement, that would be a "Yes" or "No" answer and then you have a right to explain.

Secretary STEVENS. Yes, I made a statement.

MR. JENKINS. Now, then.

Secretary STEVENS. What happened was that I said, I didn't know about the Peress case until after he was out of the Army, and he went out on the 2d of February and I got back on the 3d of February, to Washington, and when I landed I was met by the press. They asked me about this case and I of course had no knowledge of the case. I think I received a letter or something like that, to give me a little bit of information, but fundamentally I knew nothing about it. So I said, after listening to the press, put the questions around as they did, I finally said that if all of the things you boys say are true about this case, and now this is what I think I said, I am pretty clear on it, then I would say that I do not think Major Peress should have had an honorable discharge. Is that correct, Senator?

MR. JENKINS. That was not the question, and you now made it competent by stating that you think that he should have had an honorable discharge and we are trying to steer away from that, Mr. Secretary. The question is, did you state that it was mishandled or make any comment on how the Army had handled the Major Peress case?

Secretary STEVENS. No, sir; I stated it exactly as I recalled it and on which I just testified.

MR. JENKINS. Do you want now your answer about his not being entitled to an honorable discharge to remain in the record?

Secretary STEVENS. Surely.

MR. JENKINS. It is not responsive to the question.

Secretary STEVENS. Well, that is what I said, and I am only trying to tell what I said.

MR. JENKINS. The question was, what did you say about the way the Peress case was handled or mishandled and not whether he should have had an honorable discharge or not. That leads us into an inquiry as to the merits of each individual case, and I know this committee wants to steer clear of that unless it wants to stay here until Christmas.

Secretary STEVENS. Well, Senator McCarthy asked me a question about what I did say to the press when I got back here.

MR. JENKINS. About how it was handled, that was embraced in his question, Mr. Secretary. Is that not right, Mr. Welch?

MR. WELCH. Yes, but I would like to raise a point, Mr. Jenkins. What difference does it make as to what he said as to how it was handled. Here he was coming back from abroad.

MR. JENKINS. That is one of the issues, Mr. Welch, and that is whether or not the Army was properly handling these alleged sub-

versives and was taking proper steps to detect them, and to bring about their suspension, and not whether or not they were guilty, but whether or not the Army had the machinery set up to do it as efficiently and expeditiously as the McCarthy investigating machinery. Am I not right about that?

Mr. WELCH. I think that that is correct.

Senator MUNDT. Mr. Secretary, did you have a further statement to make?

Secretary STEVENS. I answered the question about what happened when I got off the plane.

Senator MUNDT. Senator, time has expired. Are there any questions from counsel? Are there any questions from Senators to my right? Are there any Senators to my left who have any questions?

Mr. WELCH. None.

Senator MUNDT. You have 10 minutes, Mr. Cohn or Senator McCarthy.

Senator McCARTHY. Mr. Secretary, your counsel, Mr. Welch, has just stated he didn't know what difference it makes how you felt about the handling of this case. I think, so you will know why I am asking you these questions, I will tell you what difference I think it makes. The question is whether—

Mr. JENKINS. I beg your pardon. If it is a question it is perfectly proper, Senator.

Senator McCARTHY. The question here is whether you felt that this case was mishandled; if you did, whether or not you or someone else is now trying to protect those who mishandled the case. I am not going into the details of the Peress case. I am not asking what you think about it today. I am inquiring whether you felt it was mishandled then and, if so, whether you or someone else is refusing to give us the names of those who mishandled it. Just so Mr. Welch and you will know the purpose of the question.

I am going to ask you this question: Did you make this statement when you asked about the Peress case:

I stated quite emphatically to members of the press when I was interrogated on my return from the Far East on February 3 that I had the personal feeling that an officer should not get an honorable discharge from the service if he refuses to answer questions properly put to him by a congressional committee.

Did you make that statement?

Mr. JENKINS. Mr. Secretary, that is not a proper question, in my opinion, and I instruct you that unless you care to do so voluntarily, you do not have to answer that. That is an expression of your opinion relative to the merits of the Peress case, whether or not he should have been honorably discharged. It is respectfully objected to, Mr. Chairman.

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Senator McCarthy.

Senator McCARTHY. One of the all-important questions here, one of the issues raised, is that certain civilians in the Pentagon have tried, are trying, to cover up, protect those who promoted, honorably discharged, gave favorable duty orders to Major Peress. If that contention is correct, someone in the Pentagon is guilty of gross misconduct. If that contention is incorrect, then I have made a gross misstatement of fact. I am now trying to interrogate the Secretary about what I consider to be one of the all-important issues. The second

all-important issue, Mr. Chairman, will be the protection and coverup of those who protected and sent back to work Communists or people with Communist records to the radar laboratory. The third will be whether or not when we tried to get to the protectors of Peress, the protectors of the Communists at Fort Monmouth, then we were threatened by Mr. Adams, with the full knowledge of Mr. Stevens, that unless we quit, they would issue the smear report which they did issue. Mr. Chairman, if I can't go into that question, we are just precluded from getting at the issues. We have wasted 2 days here on the question of why Mr. Carr was clipped off a picture by a photographer at the Air Base, and why the commander was clipped off by Mr. Juliana. We spent 2 days on that. I would like to spend a little time on the real issues, if I could.

Mr. JENKINS. Mr. Chairman, Senator McCarthy is entitled to elicit from this witness any information as to whether or not the Army or the Secretary threw any roadblocks in his way in the investigations of these cases. He is entitled to question him as to whether or not a threat of smear was made.

What I am trying to do is to steer clear of the guilt or innocence of Major Peress or any one of the so-called 33 employees at Fort Monmouth who were suspended.

Senator McCARTHY. Mr. Chairman.

Senator MUNDT. Senator McCarthy.

Senator McCARTHY. It is a very important question to determine whether or not Mr. Stevens publicly stated and felt that the Peress case was mishandled.

Mr. JENKINS. That is proper. I agree with you, Senator.

Senator McCARTHY. Here is my question, then.

Senator MUNDT. Will you ask the question again? Perhaps it was misunderstood.

Mr. JENKINS. May I suggest—

Senator MUNDT. Senator McClellan has the floor.

Senator McCLELLAN. As I heard the question I thought it was proper. I would like to have it reread.

Senator MUNDT. The Chair has just suggested that it be reread. It is possible counsel did not hear it all.

Senator McCARTHY. Let me reread it.

Mr. Stevens, did you make the following statement, and for your benefit I am reading from your letter of February 16, 1954. At least that is the date of its receipt in my office.

Senator MUNDT. Addressed to you?

Senator McCARTHY. Addressed to me.

Senator MUNDT. Very well.

Senator McCARTHY. From page 3 of the letter:

I stated quite emphatically to members of the press when I was interrogated on my return from the Far East on February 3 that I had the personal feeling that an officer should not get an honorable discharge from the service if he refuses to answer questions properly put to him by a congressional committee.

Senator McCLELLAN. Is that the question?

Senator McCARTHY. That is the question.

Senator McCLELLAN. Mr. Chairman, I think it is proper for the witness to say "Yes" or "No" to that question.

Mr. JENKINS. Mr. Chairman, I defer to the opinion of the distinguished Senator from Arkansas.

Senator MUNDT. The Chair will rule that the question is proper, and if the Secretary understands it, he may answer it now, and we will have it reread if you care to have it reread.

Secretary STEVENS. Yes, it is true, and I would like to continue on.

Senator MUNDT. You may.

Secretary STEVENS. That letter of February 16 to Senator McCarthy in regard to the Peress case, I made public myself, because I wanted the American people to know how I felt about the Peress case. It is a matter of public record, and it is certainly true what Senator McCarthy just quoted from.

Senator SYMINGTON. I have a point of order, Mr. Chairman. Mr. Stevens has testified that he never heard the name Peress until after the man, Peress, was out of the Army, and he has also testified that he has not yet had the Inspector General's report. In an effort to expedite these hearings, might it not be better to ask witnesses who did know about the Peress case before he was out of the Army, if it is relevant to this hearing, and who do know about the Inspector General's report, with respect to what it says in this particular situation?

Senator MUNDT. The Chair does not believe that questions dealing with the Inspector General's report would be proper at this time, inasmuch as the report is not complete, as I have been advised by the Secretary.

Senator SYMINGTON. If there are people who know these things, the Secretary says he doesn't know them, he did not hear the name of Major Peress until after he was out of the Army, presumably there will be witnesses called later who do know more about it. I am simply raising this point in an effort to expedite these hearings.

Secretary STEVENS. General Caffey, the Judge Advocate General, is thoroughly familiar with all the details of this case.

Mr. JENKINS. Mr. Chairman, may I make this statement?

Senator MUNDT. Mr. Counsel?

Mr. JENKINS. It is a good time to restate the issues.

Mr. Secretary and Mr. Adams accused the McCarthy committee of using undue influence to get preferential treat for G. David Schine. The merits or the demerits of the Peress case shed no light whatever on that issue, as I see it. Countercharges are made by Senator McCarthy's committee against Mr. Stevens and Mr. Adams, in which, among other things, it is charged that they sought to discredit this committee, No. 1. No. 2, that they sought the cessation of the investigating committee's investigation at Fort Monmouth. No. 3, that they sought to stop Senator McCarthy and his committee from investigating the machinery of the Army and exposing its lack of efficiency in bringing about an expeditious investigation of the infiltration of Communists in the Army.

Frankly, I fail to see where the Peress case in any respect sheds any light on those issues.

Senator McCARTHY. May I—

Mr. JENKINS. Senator, pardon the interruption.

It might be proper to interrogate this witness with respect to the Major Peress case in order to elicit from the witness his ideas of what constitutes a subversive, a bad security risk, or what constitutes such a given state of facts as would justify the suspension of an employee from the Army?

Senator McCARTHY. Mr. Chairman, one of the very important issues here is whether or not this report of the charges against Mr. Cohn and Mr. Carr and myself were made in order to hold up the work of the committee, to protect those who in turn are given special consideration to known Communists.

Unless I can go into that and develop that, we are wasting our time. That is the issue. That is one of the all-important issues.

Senator McCLELLAN. Mr. Chairman, I agreed with Senator McCarthy a moment ago that that question was proper and should be answered, and it went to the policy and attitude of the Secretary of the Army. As to going into details of the Peress case, it has no proper place in this proceeding.

Senator McCARTHY. I don't intend to go into details of the Peress case.

Let me make my position clear again, and I don't like to be repetitious, but I have no intention of going into the facts of the Peress case. I do want to go into this question, the question of why the attack was launched against Mr. Cohn, and did it have any connection with an attempt to cover up and protect those who mishandled or gave special consideration to Peress.

It goes to motive in this case, and I think it is all-important. If I am precluded from going into this, then it is only logical that I cannot go into the motives surrounding the attacks made in connection with our attempt to get those who covered up Communists at Fort Monmouth.

Senator MUNDT. May the Chair suggest now that I think all members of the committee and counsel should have pretty clearly before them what we consider relevant and germane and proper questions. So long as the questions on Peress or anyone else deal with the matter of motive and the specific charges before us, well and good.

Insofar as they go into trying to decide the Secretary's attitude as to the guilt or innocence of any of these individuals, they are improper, because we are not trying at this time to decide the guilt or innocence of any of the people charged.

Senator McCARTHY. I agree with the Chair.

Senator MUNDT. I think the Senator has stated he doesn't intend to go into that. And so, if the question will be made clear as to the target, I think we can move ahead.

Secretary STEVENS. May I make a statement?

Senator McCarthy has suggested repeatedly here that I or somebody representing me was protecting somebody, or covering somebody up, or something of that kind, and I want it here and now completely clear to this committee that I am not covering up for anybody, at any time.

Senator MUNDT. Very good.

Senator McCarthy?

Senator McCARTHY. I believe you stated, Mr. Secretary, that you had never heard about the Peress case before you came back to the United States. Isn't it a fact that you received a communication from Mr. Adams in regard to the Peress case when you were in the east?

Secretary STEVENS. In the Far East?

Senator McCARTHY. Or any place before your return?

Secretary STEVENS. I received I think it was a memorandum at a fueling stop at California in the middle of the night on the way back

to Washington. And that is the first I heard of it; and he was out of the Army by that time.

Senator McCARTHY. You received a memorandum on the Peress case before you made your statement to the press?

Secretary STEVENS. I had a memorandum on the Peress case which I looked quickly at on the plane before I got off, but I had no real working knowledge of the Peress case.

Senator McCARTHY. Did that memorandum tell you who ordered his honorable discharge?

Secretary STEVENS. No.

Senator McCARTHY. You are sure of that, Bob?

Secretary STEVENS. As far as I can remember, as a matter of fact, I didn't have really time, Senator, to study the memorandum, and it was in the middle of the night when it came on board and I didn't make any particular attempt to familiarize myself with the Peress case prior to returning to Washington.

As soon as I got back here, then I made it plenty of my business to get into it and find out what had transpired.

Senator McCARTHY. Did you study the memorandum after you got back?

Secretary STEVENS. I don't think that I studied the memorandum. No, I started talking with the people who knew about the case because it had become a matter of public interest and I wanted to familiarize myself.

Senator McCARTHY. Mr. Secretary, did not that memorandum tell you who was responsible for the honorable discharge?

Secretary STEVENS. I don't recall that it did.

Senator McCARTHY. Do you have that memorandum?

Secretary STEVENS. I don't think we do.

Senator McCARTHY. You mean you didn't save that?

Secretary STEVENS. I don't think that—well, I don't know.

Senator McCARTHY. Could you find it?

Secretary STEVENS. We will find out.

Senator McCARTHY. How soon could we know?

Secretary STEVENS. This afternoon.

Senator McCARTHY. You don't recall what was in the memorandum at all? I am not asking you what was in it.

Secretary STEVENS. This was the first I had heard of the Peress case, and, actually, I don't remember even whether I fully read the memorandum. But I know as soon as I got back and landed, and these questions were asked me, which have been referred to, then I made it my business to get into the Peress case, and I ordered the inspector general to get on it and give me the unmistakable facts about it as soon as he could.

Senator McCARTHY. Now, that was quite some time ago, wasn't it?

Secretary STEVENS. Yes, sir, that was about, that was probably around the 10th or 12th of February.

Senator McCARTHY. Up to this time, Mr. Secretary, have you discovered who was responsible for the honorable discharge?

Secretary STEVENS. I would ask the inspector general to give me the report.

Senator McCARTHY. Will you answer the question?

Secretary STEVENS. No, I don't know who was responsible.

Senator McCARTHY. You don't know up to this time?

Secretary STEVENS. I don't know who was responsible.

Senator McCARTHY. Well, you said you got into it?

Secretary STEVENS. That is right.

Senator McCARTHY. Wouldn't the first logical thing you would do would be to find out who was responsible for the honorable discharge?

Secretary STEVENS. The first logical thing for me to do was to get the Inspector General to make a complete report for me on the Peress case, and then know exactly, and so far as the facts could be established, as to who had in any way, at any point, touched the Peress case, and when that information is available if there is any dereliction of duty in connection with the Peress case, I can assure you it will be properly dealt with.

Senator McCARTHY. You said you talked to the people who knew about the Peress case when you came back?

Secretary STEVENS. That is right.

Senator McCARTHY. Did you not ask the simple question, who ordered an honorable discharge for this man?

Secretary STEVENS. As I recall, it was a routine action, in the Adjutant General's office, which handled thousands of cases per day.

Senator McCARTHY. Did you not ask and find out whether or not Mr. Adams was the man who phoned and ordered the honorable discharge?

Secretary STEVENS. No, sir, I don't recall that at all. And Mr. Adams would have had no right to order an honorable discharge.

Senator McCARTHY. Let me just without going into the details of the case again, but as a background for a question, there had been an honorable discharge ordered, I believe, around January 1, and he was given 90 days to accept, and so when I talked about who ordered the honorable discharge I think the record should be corrected to refer to the speeding up or expediting of it, the day after he appeared before our committee. Did you find out who did that?

Secretary STEVENS. Will you restate that, or let the reporter read it?

Senator McCARTHY. I will restate it. The discharge was ordered, as I recall, sometime around January 1 of 1954. It gave Mr. Peress 90 days in which to accept that honorable discharge. He did not accept it until the day after I wrote you suggesting a court-martial in his case. The question is: Who arranged for his honorable discharge after I had written that letter, which was made public incidentally the day before he got the honorable discharge. Did you find out who was responsible for that act?

Secretary STEVENS. No; I didn't, Senator, and I expect that will all be in the inspector general's report.

Senator McCARTHY. Are you interested in that now, Bob?

Secretary STEVENS. I am interested in all phases of this thing, to see how——

Senator McCARTHY. Are you interested in that?

Secretary STEVENS. Yes.

Senator McCARTHY. Good. Now, you met with Senator Mundt, and Senator Potter, and Senator Dirksen and myself on February 24; is that right?

Secretary STEVENS. That is correct.

Senator McCARTHY. That is the conversation we are talking about?

Secretary STEVENS. Yes.

Senator McCARTHY. Now, did you after you left that office, decide that you would have issued a report concerning charges against Mr. Cohn, and Mr. Carr, and myself?

Secretary STEVENS. I did not.

Senator McCARTHY. Let me read from Mr. Hensel's specifications, if I may. Keep in mind that it was testified Mr. Hensel either helped prepare or guided the preparation or something of this charge. He said:

Not until February 24, 1954, did I have any information that the Department of the Army had been having difficulty with Senator McCarthy, Roy Cohn, or anyone else with respect to G. David Schine.

This indicates that after you had the meeting with Senator Mundt, myself, and the other two Senators, someone then for the first time talked to Mr. Hensel who prepared the report. Is that correct?

Secretary STEVENS. Evidently, if that is a quote from Mr. Hensel, that must have been correct, but——

Senator McCARTHY. Did you order the report prepared after you left the conference——

Secretary STEVENS. I did not.

Senator McCARTHY. Were you pretty unhappy when you left that conference, Bob?

Senator McCLELLAN. Mr. Chairman; Mr. Chairman.

Senator MUNDT. Senator McClellan.

Senator McCLELLAN. I don't think this airing of a conference between Republicans is quite fair to the Democrats. We didn't have a chance to be in on it. I think we ought to confine it to the issues here or we are going to prolong these proceedings indefinitely if we are going into all these family quarrels.

Senator McCARTHY. Mr. Chairman, I am very interested in knowing, and I think it is very important to know, why it was only after this conference with the Senators that Mr. Hensel was contacted and told to prepare this report. It goes to the motives. It is a very important issue in the case.

Mr. BRYAN. A point of order, Mr. Chairman. There is no evidence that Mr. Hensel was told to prepare that report at that time or any other.

Mr. JENKINS. Mr. Chairman, Senator McCarthy is reading from a document and I must assume that he is reading that document correctly. That is a statement made by Mr. Hensel in writing that he did not know that there was difficulty between the Army and the McCarthy committee until February 24. Is that right, Senator? Is that what you read?

Senator McCARTHY. Yes.

Mr. JENKINS. He has asked the Secretary about a meeting on February 24 at which time the Secretary was present and his question was whether or not the Secretary determined as of that date or immediately thereafter to release this document making the charges against the McCarthy committee. I think that it is entirely proper.

Senator MUNDT. The Chair agrees. We will have to overrule the point of order he had made by counsel for Mr. Hensel.

Senator McCarthy.

Secretary STEVENS. I did not do any such thing.

Senator McCARTHY. Let me ask you this, Mr. Secretary: When did you first tell Mr. Hensel to prepare this report?

Secretary STEVENS. I never told Mr. Hensel to prepare the report.

Senator MCCARTHY. Let me ask this, Mr. Chairman: Is there any evidence at this time, a letter to Mr. Potter, in which it is stated that Mr. Hensel either supervised or helped prepare the report? Is that in the record?

Senator MUNDT. The Chair does not recall of his own individual memory.

Mr. JENKINS. There is no such——

Senator POTTER. There is no such letter.

Senator MCCARTHY. Isn't there a letter to Potter from Hensel or someone saying Hensel helped prepare it?

Senator POTTER. I assume you are referring to the letter which I wrote to Secretary Wilson, and I believe, if I am not mistaken, that the letter was signed by a liaison officer. Possibly it was signed by Mr. Hensel. I am not certain.

Mr. BRYAN. Mr. Chairman.

Senator MUNDT. Do you have a point of order?

Mr. BRYAN. To clarify this thing and perhaps expedite it: The letter in response to Senator Potter's letter of March 8, I believe it was, transmitting the chronological statement of events, was signed by Mr. Hensel as counsel to the Department of Defense.

Senator MUNDT. Thank you.

The letter was signed, you say, by Mr. Hensel?

Mr. BRYAN. That is correct.

Senator MCCARTHY. May I read the letter into the record?

Senator MUNDT. The letter to Mr. Potter then was signed by Mr. Hensel.

Very well, sir.

Senator MCCARTHY. May I read the letter into the record, Mr. Chairman? I will ask Mr. Hensel to follow this to make sure this is a correct copy:

DEAR SENATOR POTTER: In response to the request made, in your letter of March 8, 1954, to the Secretary of Defense I am enclosing herewith a chronological statement of the discussion with Private G. David Schine and the manner in which he was assigned and treated. This chronological statement has been compiled under my supervision by examination of various files of the Army and after oral examination of the individuals mentioned who were available to the men assigned by me to prepare the document itself.

I believe this chronological statement will furnish the answer to the three specific questions requested by you, and all facts stated therein have been verified in the manner above-mentioned. If you wish any further information will you please call upon me.

Sincerely yours.

And I call attention again to the one line:

This statement has been compiled under my supervision.

Signed, "H. Struve Hensel."

Mr. BRYAN. I may say that letter is dated March 10, 1954.

Senator MUNDT. Very good. The date of the letter has been established.

The time of the Senator from Wisconsin has expired. Counsel, have you any further questions?

Mr. JENKINS. Mr. Secretary, one question. You stated that after you returned from the Orient, you first learned of the Peress case. Is that correct?

Secretary STEVENS. That is right.

Mr. JENKINS. When was that, Mr. Secretary?

Secretary STEVENS. That was during the night of the 2d and 3d of February.

Mr. JENKINS. When did you request the Inspector General to investigate the Peress case and give you a report on it?

Secretary STEVENS. Within a few days after I returned.

Mr. JENKINS. Then you made that request early in February of this year?

Secretary STEVENS. That is right.

Mr. JENKINS. So February, March, and April, some 3 months, have elapsed since you made the request of the Inspector General for a report on the Peress case; is that correct?

Secretary STEVENS. A little less than that, yes, sir.

Mr. JENKINS. A little less than 3 months' time.

How long does it ordinarily take an Inspector General to make an investigation and give you a report on a case comparable to the Peress case?

Secretary STEVENS. First of all, I don't recall any comparable to the Peress case.

Mr. JENKINS. Very well.

Secretary STEVENS. Secondly, it depends upon the amount of territory that has to be covered and the number of people who have to be interviewed.

Mr. JENKINS. Mr. Stevens, in the interim, have you ever requested the Inspector General to speed up his investigation or to give you any report on it?

Secretary STEVENS. I know that the Inspector General knows of my interest in this case. I have never spoken to him personally and told him to do anything except get this report for me as soon as he could do a good job on it, and give me all the facts.

Mr. JENKINS. You contacted him personally a little less than 3 months ago?

Secretary STEVENS. I didn't contact him personally. I sent instructions that I wanted to have this report made.

Mr. JENKINS. All right. The same result was accomplished.

Secretary STEVENS. That is right.

Mr. JENKINS. That has been nearly 3 months ago?

Secretary STEVENS. That is right.

Mr. JENKINS. In the meantime, have you received any interim report on it?

Secretary STEVENS. I picked up——

Mr. JENKINS. Any partial report?

Secretary STEVENS. I picked up information from time to time, yes, about the Peress case. I have, Mr. Jenkins.

Mr. JENKINS. Has the Inspector General given you any report?

Secretary STEVENS. No, sir.

Mr. JENKINS. Partial or otherwise?

Secretary STEVENS. No, sir.

Mr. JENKINS. Have you requested him to make any report on it, since your first message to him early in February?

Secretary STEVENS. No, I don't think that I have. I wanted to have a complete, wrapped-up job done on this thing. But you see, if I could explain for just a moment, the number of people that would handle the papers in a case like this, might run into very substantial

numbers and they might run—it might be very hard to identify and we are trying our best to get the names of the people that handled the papers, which is what Senator McCarthy asked me for.

Mr. JENKINS. Well, wasn't the investigation of the Peress case apparently a fairly simple matter?

Secretary STEVENS. No, it was complicated matter.

Mr. JENKINS. A very complicated case?

Secretary STEVENS. I would say that it was a big job to get all of the facts together in regard to just how the Peress case was handled.

Mr. JENKINS. So for that reason it has never occurred to you that the Inspector General has been derelict in his duty?

Secretary STEVENS. Not at all.

Mr. JENKINS. Or slow in making his investigation in giving you a report?

Secretary STEVENS. No, sir.

Mr. JENKINS. Do you have any idea when you will get a report on the Peress case?

Secretary STEVENS. I think it could come at any time.

Mr. JENKINS. You are expecting it momentarily?

Secretary STEVENS. At any time.

Mr. JENKINS. Then probably before the termination of this hearing?

Secretary STEVENS. I would guess so; yes, sir.

Mr. JENKINS. Very well.

That is all.

Senator MUNDT. Very good. Any of the Senators on my right have any questions?

Do any of the Senators on my left?

Mr. Welch?

Mr. WELCH. None.

Senator MUNDT. Senator McCarthy or Mr. Cohn? And the chairman would suggest after this next 10-minute interval, that we would undoubtedly want to recess for lunch.

Senator McCARTHY. Mr. Secretary, you realize, of course, with the directly conflicting stories, the committee members may have difficulty arriving at the truth of this case, and therefore I must go into some of these details which seem to be the key or the tipoff of what has happened from time to time.

Now, I find Mr. Hensel again, it wasn't until the night after the conference with me and the other Senators, that this matter was brought to Mr. Hensel's attention. Mr. Hensel: "I supervised the preparation of the report."

Do you think that is merely coincidence, or was it because when you went back to the Pentagon some of your people back there were very unhappy about this and decided to get every report then on Mr. Cohn?

Secretary STEVENS. That had absolutely nothing to do with it.

Senator McCARTHY. Let me ask you this: When you went back to the Pentagon, is it a fact that some of them were very unhappy with the agreement you made with the committee?

Secretary STEVENS. If so they didn't say so to me.

Senator McCARTHY. Well, weren't you extremely disturbed yourself later that evening?

Secretary STEVENS. I was worried about it; yes, sir.

Senator McCARTHY. All you agreed to do in the agreement was to furnish us the names of those responsible in the Peress case, and make them available to testify.

Secretary STEVENS. That is right.

Senator McCARTHY. Why would you be so disturbed about that? That is a right that a committee has always had and should have and why would you be so disturbed about that?

Secretary STEVENS. I was disturbed primarily on account of the General Zwicker case, where General Zwicker had been abused, and I was very anxious that Army witnesses, whether in or out of uniform, be not abused by you in the future.

Senator McCARTHY. Now, but that condition hadn't changed from the time you left the meeting with us, until the time you got to the Pentagon, did it? In other words, as far as Zwicker was concerned, his situation had not changed at all on the 24th?

Secretary STEVENS. Well, it had changed to the extent that it was popularly considered by the press and others, that I had forgotten all about General Zwicker and my fundamental principle of fighting to have my witnesses from the Department of the Army not abused, and treated properly, and I never gave that principle up, and I don't now.

Senator McCARTHY. I think maybe there, Mr. Secretary, you are putting your finger on the trouble. You weren't disturbed about what you had agreed to do, but you were disturbed about what the press said about what you had agreed to do.

Secretary STEVENS. I was disturbed there wasn't more in that memorandum, too.

Senator McCARTHY. Well, now, you helped write the memorandum.

Secretary STEVENS. I was present.

Senator McCARTHY. And Senator Mundt read it over to you very carefully.

Secretary STEVENS. Senator Mundt typed it.

Senator McCARTHY. And we spent a great deal of time looking over the memorandum and striking out a word here and then adding one there, isn't that right, and striking some out at your suggestion?

Secretary STEVENS. There was a lot of discussion.

Senator McCARTHY. And we made some deletions at your suggestion?

Secretary STEVENS. But there were a lot of things I did suggest that you didn't put in.

Senator McCARTHY. All right, now, the substance of the memorandum was that you agreed to give us the names of those responsible in the case of this fifth-amendment Communist and they would be called before the committee. Beyond that, we didn't go, did we, in the agreement? I am wondering why you would be disturbed so deeply that you had agreed to give us the key, the lead, back to those responsible.

Secretary STEVENS. I was disturbed because of the fact that the abuse of witnesses was my fundamental problem that I was having with you at that time, and it continued to be a problem and it just appeared from that memorandum that I had apparently, I had forgotten about that, which was not the case, and accordingly I spoke from the White House the next evening, in order to clear the situation up on that point, and you will recall what you said about my state-

ment right after I had made it. You said it was a complete falsehood.

Senator McCARTHY. Now let us get back to this, Robert. You had on the 24th, in other words, the date that Mr. Hensel said he first learned about the charges against Mr. Cohn here, and others, and that was the date you left the meeting, and you said you went to the Pentagon after that, did you?

Secretary STEVENS. That is right.

Senator McCARTHY. And when did you start to become unhappy about the agreement you made?

Secretary STEVENS. I was unhappy about it right from its inception.

Senator McCARTHY. You were unhappy when you stood there smiling and shaking my hand while the photographers were taking pictures?

Secretary STEVENS. Unhappy, period.

Senator McCARTHY. All right. Then you got back to the Pentagon. Would you tell us how there was originated that particular night the charges against Mr. Cohn?

Secretary STEVENS. I have no idea.

Senator McCARTHY. Did you talk to Hensel that night?

Secretary STEVENS. I don't think I did.

Senator McCARTHY. Do you remember?

Secretary STEVENS. I don't think I did, no; I am pretty sure I didn't.

Senator McCARTHY. Did you talk to Mr. Adams?

Secretary STEVENS. As a matter of fact, I went back to the office, and then I went home. And I don't think that I saw anybody, except some of my own staff on that afternoon, after I got back from this meeting.

Senator McCARTHY. You went from the meeting to the Pentagon?

Secretary STEVENS. That is my recollection.

Senator McCARTHY. And you say you did not see Mr. Adams that night?

Secretary STEVENS. No; I didn't say I didn't see Mr. Adams.

Senator McCARTHY. Do you know whether you did or not? It is rather important, Mr. Secretary, to know how come on this particular night there apparently was conceived the idea for this smear campaign against my staff. And I would like to know who originated and who talked to whom?

Secretary STEVENS. If it was originated then, or any other time, which I very much doubt, I have no knowledge of it; and I had nothing to do with it.

Senator McCARTHY. You say you had nothing to do with it?

Secretary STEVENS. Absolutely nothing to do with it.

Senator McCARTHY. Did you ever discuss with Adams the preparation of these charges?

Secretary STEVENS. Discuss with—what is that?

Senator McCARTHY. Did you ever discuss with Adams the preparation of these charges?

Secretary STEVENS. Of course I discussed with Adams.

Senator McCARTHY. You discussed the preparation of the charges with Adams?

Secretary STEVENS. But Mr. Hensel has outlined how this or what this chronology was prepared under his supervision.

Senator McCARTHY. Try and stick to my question, will you? The question is: Did you discuss with Mr. Adams the preparation of these charges?

Secretary STEVENS. Which charges do you mean?

Senator McCARTHY. The ones against Mr. Carr, Mr. Cohn and myself?

Secretary STEVENS. As far as I know, there was no discussion the 24th of February or for a considerable period of time thereafter about any charges.

Senator McCARTHY. All right, let's forget about the time lapse.

Secretary STEVENS. You have been asking me about the 24th of November.

Senator McCARTHY. That is right.

The question is: Did you ever discuss with Mr. Adams the preparation of these charges?

Secretary STEVENS. Actually, the charges were prepared by counsel.

Senator McCARTHY. Oh, answer my question.

Mr. JENKINS. You have not answered the question, may I respectfully call to your attention that fact. The question is simple: Did you ever discuss with Mr. Adams the preparation of these charges? I am sure he means the release of March 11, 1954. Did you discuss that with Mr. Adams?

Secretary STEVENS. I will tell you all I know about it, Mr. Jenkins. One of Mr. Hensel's men came in my office and asked me what I knew about certain of these events, and I told him. I contributed to the preparation of this chronology of events in answer to Senator Potter's letter by recalling and putting in whatever information I had on the subject.

Mr. JENKINS. Did you discuss it with Mr. Adams? Did you talk to him about the contents?

Secretary STEVENS. I am sure I must have talked to Mr. Adams about it. After all, he was the Department Counselor. Yes.

Mr. JENKINS. All right. Very well. There has been a question asked and a specific answer given. We are getting along.

Senator McCARTHY. Now that we have that answer, Mr. Secretary, will you tell us whether you and Mr. Adams discussed whether or not such charges should be made public?

Secretary STEVENS. I don't recall having discussed that with Mr. Adams.

Senator McCARTHY. Did Mr. Adams ever discuss with you the question of whether or not making public these charges might hold up the investigation of the committee?

Secretary STEVENS. No, sir.

Senator McCARTHY. Did you ever personally go to the office of any of the Senators on this committee at the time we were asking for the production of certain people in the Loyalty Board and discuss the charges against Mr. Cohn?

Secretary STEVENS. I called on five individual members of this committee at the time that General Zwicker had been abused. That was on the 19th day of February I called on five members of this committee.

Senator McCARTHY. Would you read the question to the Secretary?

Mr. JENKINS. Without having it read, Mr. Secretary, I again call your attention to the fact that you have not answered the question.

Secretary STEVENS. This is the only time I ever recall having gone up and talked to members of this committee.

Mr. JENKINS. The question was whether or not you ever called on any members of this committee with respect to charges you have made against Mr. Cohn. Is that correct, Senator? Is that what you asked?

Senator McCARTHY. That is correct.

Mr. JENKINS. Your answer was not responsive, patently, Mr. Secretary. It is simple: Did you call on any of the members of this committee with respect to your charges against Mr. Cohn which have been filed?

Secretary STEVENS. I called on the members of this committee with respect to General Zwicker.

Mr. JENKINS. All right. Again that isn't an answer. You called on them with respect to the alleged abuse of General Zwicker. That can be true, and still you could have called on the members of this committee with respect to the charges against Mr. Cohn.

Secretary STEVENS. I did not call on the members of this committee in regard to the charges against Mr. Cohn.

Mr. JENKINS. Now we have a direct answer, Senator. Will you please pass to something else?

Senator McCARTHY. If you didn't call on them, did you ever discuss with any members of this committee the charges against Mr. Cohn?

Secretary STEVENS. It seems to me that in maybe 1 or 2 cases the question might have come up about, oh, Schine and Cohn and so forth, but I had no papers in connection with it.

I didn't go there for the purpose of discussing that, and if it came up it was purely an incidental or corollary discussion. I didn't go there for that purpose.

Senator McCARTHY. Mr. Secretary—

Senator MUNDT. The Senator's time has expired. The Sergeant of Arms is calling for all Members of the Senate and it is almost recess time. So we will recess until 2:30 this afternoon.

(Whereupon, at 12:35, the hearing was recessed until 2:30 p. m. the same day.)

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